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566.41191X00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Y. KURATA, et al.  
Application No.: 10/049,672  
Filed: April 30, 2002  
For: POLISHING MEDIUM FOR CHEMICAL-MECHANICAL POLISHING,  
AND METHOD OF POLISHING SUBSTRATE  
Examiner: 1765  
Group: Duy Vu Nguyen Deo  
Confirm. No.: 7706

**REQUEST FOR CLARIFICATION AND  
FOR COMPLETE OFFICE ACTION**

**Mail Stop: AMENDMENT – NO FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 6, 2005

Sir:

The Office Action mailed August 11, 2005, in connection with the above-identified application is noted. In this Office Action mailed August 11, 2005, the Examiner indicates that he has not found the Declaration Under 37 CFR 1.132. While the Examiner indicates that this Declaration "would not be persuasive because it addresses limitations that are just an intended use of the polishing medium or cited in the preamble", clearly the Examiner could not provide a proper review of such Declaration where he did not even look at such Declaration, as admitted by him in Item 7 on page 5 of the Office Action mailed August 11, 2005.

Clearly, the Declaration Under 37 CFR 1.132 was received in the U.S. Patent and Trademark Office, as acknowledged on the post card receipt from the U.S. Patent and Trademark Office, a copy of which is enclosed herewith. Also enclosed herewith is a copy of the aforementioned Declaration Under 37 CFR 1.132.

As the Examiner did not review the Declaration Under 37 CFR 1.132, which properly

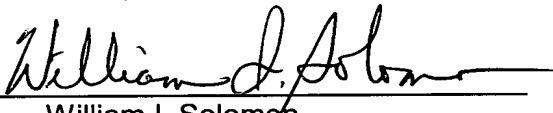
was submitted in the above-identified application prior to the Office Action mailed August 11, 2005, it is respectfully submitted that this Office Action mailed August 11, 2005 is incomplete. Accordingly, further consideration and issuance of a complete Office Action, including full and proper consideration of the Declaration Under 37 CFR 1.132, is respectfully requested. In addition, it is respectfully requested that a new period for response be set, to begin with mailing of a complete Office Action including review of the Declaration Under 37 CFR 1.132.

In view of the foregoing, issuance of a complete Office Action including full review of the Declaration Under 37 CFR 1.132; and re-setting of the period for response to begin with the date of mailing of the complete Office Action, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135, (case 566.41191X00), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By   
William I. Solomon  
Registration No. 28,565

Attachments: Declaration Under 37 CFR 1.132 (15 pp., of Mr. Yasushi Kurata); Copy of June 6, 2005 date-stamped post card receipt (1 pg.)

WIS/ksh  
1300 N. Seventeenth Street  
Suite 1800  
Arlington, VA 22209  
Tel.: 703-312-6600  
Fax.: 703-312-6666

Patent Dkt. No. 566.4119/X00 Attorney Initials WIS  
Application No. 10/049,672 Filing Date 04/30/2002  
Applicant(s) Y. Kureta, et al.  
Papers Filed Herewith on June 6, 2005

Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- ☐ New Application Transmittal Form ☒ Credit Card Payment Form  
\_\_\_\_ Pages of Specification (\_\_\_\_ claims) Fees \$3,740.00  
\_\_\_\_ Sheets of Drawings ☒ Amendment  
☐ Declaration (\_\_\_\_ pages) ☐ Response to Office Action  
☐ Fee Transmittal Form ☐ Petition for Extension of Time (\_\_\_\_ mos.)  
☐ Claim for Priority ☐ Information Disclosure Statement  
☐ Priority Documents ☐ PTO-1449 ☐ Copies of References  
☐ Assignment Papers ☐ Revised Drawings (\_\_\_\_ sheets)  
☐ Issue Fee Transmittal ☐ Notice of Appeal  
☒ Other RCE Transmittal; Declaration under 37 CFR 1.132;  
Additional Claims Fee Transmittal

